IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN INSOLVENCY

INSOLVENCY PETITION NO.47 OF 2005

Re : Ganesh Sugar Supply Co. & Ors. ...Debtors.
Ex-parte:
Ratnesh Mukund Finance P.Ltd. ..Petg. Creditor.

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Ms. K.S. Lalwani for the Petitioning Creditor.

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CORAM : DR.D.Y.CHANDRACHUD, J.

August 1, 2006.

P.C.

On a Notice of Motion taken out by the Debtors for setting aside an insolvency notice which was issued in pursuance of a decree on admission, a conditional order was passed by this Court on 1st February 2005. There is no compliance of the directions contained in the order. The act of insolvency was complete on 1st March 2005. The petition has been served on 5th August 2005. There is no reply. The petition is accordingly made absolute in terms of prayer clause (a). However, having regard to the provisions of Section 90(1) of the Presidency Towns Insolvency Act, 1909 and since Petition Nos.43 of 2005 and 44 of 2005 have already been allowed, it would be appropriate to direct that the

proceedings arising out of the present petition be consolidated with the proceedings in the earlier petitions. In these circumstances, a separate advertisement is dispensed with in this case.

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